IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

CRP.No. 2228 of 1997(E)

AGAINST THE ORDER DATED 23/06/1997 IN IA.446/97 IN OS.83/1993 of SUB COURT,THODUPUZHA

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REVN. PETITIONERS/DEFENDANTS 1 TO 2:

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1. VITTALA PAI, S/O.DAMODARA PAI,
KUNNATHUMADOM, OLAMATTOMKARA,
THODUPUZHA VILLAGE,
THODUPUZHA TALUK.

2. N.SUBHADRA BAI, W/O.VITTALA PAI -DO- -DO-.

BY ADV. SMT.V.A.KASTHURI

RESPONDENTS/PLAINTIFFS & DEFENDANTS 3 TO 8:

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1. CHELLAPPAN, S/O.CHANDI, PUTHENPURIAYIL HOUSE,
OLAMATTOMKARA, THODUPUZHA VILLAGE.

2. PRABHAVATHY, W/O.CHELLAPPAN, -DO- -DO-

3. RAJESWARI, D/O.VITTALA PAI, KUNNATHUMADOM,
OLAMATTOMKARA, THODUPUZHA VILLAGE.

4. RAJAKUMARI, D/O.VITTALA PAI, -DO- -DO-.

5. V.RAVINDRA PAI, S/O.VITTALA PAI, -DO- -DO-.

6. V.RAJAGOPAL, S/O.VITTALA PAI -DO- -DO-.

7. RAMESH KUMAR, S/O. VITTALA PAI -DO- -DO-.

8. V.RAJENDRAN, S/O.VITTALA PAI -DO- -DO-.

BY ADV. SMT.MARY NIRMAL EDWIN (FOR R3 TO R8)
SRI.S.VIDYASAGAR
SRI.K.N.NARAYANA PILLAI (FOR R1)

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 09/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

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C.R.P. NO.2228 OF 1997

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Dated this the 9th day of October, 2007

O.R.D.E.R

This Civil Revision Petition is filed challenging an order of stay passed by Sub Court, Thodupuzha staying further proceedings in O.S.83/1993 under section 10 of the Code of Civil Procedure till the disposal of second appeal. The Civil Revision Petition is pending from 1997. Second Appeals are disposed today. The order of stay challenged is operative only till disposal of the second appeals. In such circumstance, Civil Revision Petition is dismissed as infructuous.

M.SASIDHARAN NAMBIAR
JUDGE

tpl/-

M.SASIDHARAN NAMBIAR, J.

W.P.(C).NO. /06

JUDGMENT

SEPTEMBER,2006